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13 *Attorneys for Defendants*  
14 *Rimini Street, Inc., and Seth Ravin*

15 UNITED STATES DISTRICT COURT  
16 DISTRICT OF NEVADA

17 ORACLE USA, INC., a Colorado corporation;  
18 and ORACLE INTERNATIONAL  
CORPORATION, a California corporation,

19 Plaintiffs,

20 v.

21 RIMINI STREET, INC. , a Nevada corporation;  
22 SETH RAVIN, an individual,

23 Defendants.

Case No. 2:10-cv-0106-LRH-PAL

**DEFENDANT RIMINI STREET  
INC.'S AMENDED MOTION FOR  
LEAVE TO FILE UNDER SEAL  
EXHIBITS A, C-H, AND J TO THE  
DECLARATION OF RYAN D.  
DYKAL (DKT 499)**

24 Pursuant to the Stipulated Protective Order governing confidentiality of documents  
25 entered by the Court on May 21, 2010 (*See* Dkt. 55, “Protective Order”), Local Rule 10-5(b) and  
26 Rules 5.2 and 26(c) of the Federal Rules of Civil Procedure, Defendant Rimini Street, Inc.  
27 (“Rimini”) respectfully requests that the Court grant leave to file under seal Exhibits A, C-H, and J  
28 to the Declaration of Ryan D. Dykal. A public, redacted version of Mr. Dykal’s Declaration with all

1 Exhibits was filed on September 18, 2014. (See Dkt. 499). Additionally, on September 18, 2014, the  
 2 unredacted version of Declaration Exhibits C-H and J were filed under seal. (See Dkt. 500).

3 The Protective Order provides that: “Counsel for any Designating Party may  
 4 designate any Discovery Material as “Confidential Information” and as “Highly Confidential  
 5 Information- Attorneys’ Eyes Only” under the terms of the Protective Order only if such counsel in  
 6 good faith believes that such Discovery Material contains such information and is subject to  
 7 protection under Federal Rule of Civil Procedure 26(c). The designation by any Designating Party of  
 8 any Discovery Material as “Confidential Information” or “Highly Confidential Information-  
 9 Attorneys’ Eyes Only” shall constitute a representation that an attorney for the Designating Party  
 10 reasonably believes there is a valid basis for such designation”. Protective Order at Paragraph 2.

11 The Court has “broad latitude” under Rule 26(c) “to prevent disclosure of materials  
 12 for many types of information, including, but not limited to, trade secrets or other confidential  
 13 research, development, or commercial information.” *Phillips v. Gen. Motors Corp.*, 307 F.3d 1206,  
 14 1211 (9th Cir. 2002) (citations omitted).

15 A description of all Exhibits referenced in this Motion is included below:

- 16 1. Exhibit A consists of excerpts from Oracle’s Supplemental Discovery Responses  
     17 (Interrogatory No. 35) served on February 10, 2012, which have been designated  
     18 “Confidential Information” and “Highly Confidential Information – Attorneys’  
     19 Eyes Only” by Oracle. Oracle’s responses include highly confidential information  
     20 related to Oracle’s license agreements with its customers. Disclosure of this  
     21 information could competitively harm Oracle.
- 22 2. Exhibits C and D consist of excerpts from the Expert Report of Elizabeth Dean,  
     23 which has been designated “Highly Confidential Information- Attorneys’ Eyes  
     24 Only” by Oracle. These exhibits include highly confidential business methods  
     25 used by Rimini and sensitive Oracle financial information. Disclosure of this  
     26 information could competitively harm both Rimini and Oracle.
- 27 3. Exhibits E through H consist of excerpts from the Expert Report of Scott  
     28 Hampton, which has been designated “Highly Confidential Information-

1 Attorneys' Eyes Only" by Rimini. These exhibits include highly confidential  
2 business methods used by Rimini and sensitive Rimini and Oracle financial  
3 information. Disclosure of this information could competitively harm both Rimini  
4 and Oracle.

5 4. Exhibit J is a Declaration from CedarCrestone that were produced in the present  
6 case and designated "Highly Confidential Information- Attorneys' Eyes Only" by  
7 Oracle. The Declaration includes highly confidential information related to  
8 business methods used by CedarCrestone. Disclosure of this information could  
9 competitively harm CedarCrestone.

10 Thus, in identifying the Declaration Exhibits which contain Confidential or Highly  
11 Confidential material, Rimini and Oracle, as the designating parties, contends that good cause exists  
12 for sealing Exhibits A, C-H, and J.

13 Rimini and Oracle have submitted all other portions of the Case Management  
14 Statement as well as all other exhibits to the Declaration of Ryan D. Dykal in Support of the Case  
15 Management Statement, for filing in the Court's public files, which would allow public access to the  
16 filings except for the documents Rimini and Oracle have designated as Confidential and Highly  
17 Confidential. Accordingly, the request to seal is narrowly tailored.

18 For the foregoing reasons, Rimini respectfully requests that the Court grant leave to  
19 file Exhibits A, C-H, and J under seal.

1 DATED: October 20, 2014

SHOOK, HARDY & BACON

2 By: /s/ Ryan D. Dykal

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## **CERTIFICATE OF SERVICE**

I hereby certify that on the 20th day of October, 2014, I electronically filed the foregoing document with the clerk of the court for the U.S. District Court, District of Nevada, using the electronic case filing system. The electronic case filing system sent a "Notice of Electronic Filing" to the attorneys of record who have consented in writing to accept this Notice as service of this document by electronic means.

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